

EXHIBIT A

At I.A.S. Part **49** of the Supreme Court of the State of New York, held in and for the County of New York, at the County Courthouse thereof, located at 60 Centre Street, New York, New York 10007, on the 11 day of **December, 2024**

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----	X
MISSOURI PARTNERS CAPITAL LLC,	:
	:
Plaintiff,	: Index No. 659487/2024
	:
-against-	: Motion Seq. No. 001
	:
COMMISSIONS IMPORT-EXPORT S.A.; and	:
DOVE AVIATION LIMITED,	:
	:
Defendants.	:
-----	X

**~~PROPOSED~~ ORDER TO SHOW CAUSE, FOR PREJUDGMENT ATTACHMENT,
AND TEMPORARY RESTRAINING ORDER**

Upon reading the filing by Plaintiff Missouri Partners Capital LLC (“Plaintiff”) of the Affirmation of Vincent Levy dated December 9, 2024, the Affirmation of Michael Straus dated December 9, 2024, together with the exhibits attached thereto, and the Memorandum of Law in Support of Plaintiff’s Application for Prejudgment Attachment, Temporary Restraining Order, and Preliminary Injunction dated December 9, 2024, and upon all the pleadings and proceedings heretofore had herein, and sufficient cause being alleged; and

WHEREAS Plaintiff has shown that it will suffer immediate and irreparable injury in the event that Defendants are able to sell, transfer, convey, impair or otherwise dissipate the collateral identified in the Security Agreement attached as Exhibit B to the Affirmation of Tyler B. Korn in support of Missouri’s motion for summary judgment in lieu of complaint (the “Collateral”), and/or

Arbitral Award No. 16257 and any judgments relating to the same (the "Further ICC Award"); it is hereby

ORDERED that Defendants shall show cause before this Court, in Room 252, **January 22, 2025 by submission only** 60 Centre Street, New York, New York 10007, on _____, 2024, at _____ a.m./p.m., or as ~~soon thereafter as counsel may be heard~~, why an order should not be issued: (i) attaching the Collateral and the Further ICC Award; and (ii) preliminarily enjoining during the pendency of this action Defendants and any other person or entity having actual notice of this order by service or otherwise from disposing of, selling, transferring, encumbering, removing, paying over, or conveying the Collateral and/or the Further ICC Award, or any form of interest therein, or otherwise participating or assisting in the foregoing; and it is further

ORDERED that, pending the foregoing hearing, a Temporary Restraining Order, pursuant to CPLR 6313, is entered; and further

ORDERED that, until further order of the court, Defendants and all persons and entities having actual notice of this order by service or otherwise are enjoined from taking any step toward, participating in, assisting, or effectuating the disposition, sale, transfer, encumbrance, removal, payment over, settlement, resolution, enforcement, prosecution, hindrance, impairment, compromise, or conveyance, in whole or in part, of any of the following or any form of interest therein:

Granted


JSC

- Any rights, title and interest in and to, or the value of, that certain arbitral award in Case No. 9899 issued by the International Chamber of Commerce (ICC) to CMPX against the Republic of the Congo;
- Any rights, title and interest in and to, or the value of, any judgment of any court enforcing or recognizing Arbitral Award No. 9899, including without limitation

that certain judgment in *Commissions, Import Export, S.A. v. The. Republic of Congo et al*, 17-mc-00175 (S.D.N.Y.), entered May 26, 2017, registering judgment granted in No. 12-cv-743 (D.D.C.);

- Any rights, title, and interest in and to, or the value of, that certain arbitral award in Case No. 16257, issued by the International Chamber of Commerce (ICC) against the Republic of the Congo;
- Any rights, title and interest in and to, or the value of, any judgment of any court enforcing or recognizing Arbitral Award No. 16257, including without limitation those certain judgments in *Commissions Import Export S.A. v. Republic of the Congo*, Case No. 13-cv-00713-RJL (D.D.C.), *Commissions Import Export S.A. v. Republic of the Congo*, Case No. 14-mc-00187-AJN (S.D.N.Y.);
- Any rights, title and interest in and to, or the value of, any claims or other proceedings pending in any jurisdiction, whether reduced to judgment yet or not, arising out of or relating to any form of enforcement of any of the foregoing; and
- Any proceeds of the foregoing; and it is further

ORDERED that nothing in this order (including the injunction) shall limit or otherwise affect Plaintiff's ability to enforce rights and exercise remedies as a secured party under agreements signed in connection with the Note; and it is further

ORDERED that, in the exercise of the Court's discretion pursuant to CPLR 6313(c), Plaintiff is not required to give an undertaking prior to the granting of a temporary restraining order pending the hearing on this order to show cause; and it is further

ORDERED that Holwell, Shuster & Goldberg LLP, Plaintiff's attorneys, shall serve a copy of this Order to show Cause, together with a copy of the papers upon which it is based, on or

NYSCEF DOC. NO. 10

RECEIVED NYSCEF: 12/09/2024

December 13
before _____, 2024, upon (a) Commissions Import-Export S.A. via email to Mohsen Hajaij
at the address hojmalik@yahoo.fr; and (b) Dove Aviation Limited via email to Rida Hajaij at the
and (c) Francis Vasquez at frank@favasquez.com
address ridahojeij@hotmail.com; and it is further

ORDERED that opposing papers, if any, to this motion shall be served via email to
January 6, 2025
vlevy@hsgllp.com and be received on or before _____, 2024, and reply papers, if any shall be
January 13, 2025
filed and served in the manner set forth above so as to be received on or before _____, 2024.

Dated: New York, New York
December **11**, 2024

**All dates subject to change pending
defendants' engagement of new counsel.**

SO ORDERED



J.S.C.

MARGARET A. CHAN
J.S.C.